



FORM PTO-1083

Attorney Docket No.: 101.0081-00000

Customer No. 22882

Express Mail Label No. ER521778559US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Gary K. Michelson

Serial No: 10/085,731

Filed: March 1, 2002

For: DYNAMIC LORDOTIC GUARD WITH
MOVABLE EXTENSIONS FOR CREATING
AN IMPLANTATION SPACE POSTERIORLY
IN THE LUMBAR SPINE (as amended)

Confirmation No.: 8412

Art Unit: 3732

Examiner: M. Priddy

RECEIVED
MAY - 7 2004
TECHNOLOGY CENTER 3700

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an Amendment in reply to the Restriction Requirement dated December 31, 2003 in the above-identified application.

No additional fee is required.

Applicant hereby requests a three-month extension of time to respond to the above office action.

An Information Disclosure Statement with Form PTO-1449 and 7 documents are enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	121	-	165	**	0	LG=\$18 SM=\$9	\$18
INDEPENDENT CLAIMS FEE	2	-	3	***	0	LG=\$86 SM=\$43	\$86
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$290 SMALL ENTITY FEE = \$145		\$ 0
					TOTAL		\$ 0

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

A check in the amount of \$____ to cover the additional claims fee is enclosed.

A fee in the amount of \$950.00 to cover the three-month extension of time is to be charged to Deposit Account No. 50-1066.

The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. **A copy of this sheet is enclosed.**

Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims

Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
MARTIN & FERRARO, LLP

Date: April 30, 2004

By: 
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Transmittal of Amendment



PATENT
Attorney Docket No. 101.0081-00000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Confirmation No.: 8412
Gary K. Michelson)
Serial No.: 10/085,731) Group Art Unit: 3732
Filed: March 1, 2002) Examiner: M. Priddy
For: DYNAMIC LORDOTIC GUARD WITH)
MOVABLE EXTENSIONS FOR)
CREATING AN IMPLANTATION)
SPACE POSTERIORLY IN THE)
LUMBAR SPINE (as amended))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

Express Mail Mailing Label No. ER521778559US

Date of Deposit: April 30, 2004

I hereby certify that:

1. Transmittal form (in duplicate; \$950.00 three-month extension fee charged to Deposit Account No. 50-1066)
2. Amendment
3. Information Disclosure Statement with Form PTO-1449 and 7 documents
4. Self-addressed stamped return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: April 30, 2004



Sandra L. Blackmon

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